

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

NATALIA PIROGOVA,

Plaintiff,

-against-

PJSC NATIONAL BANK TRUST,

Defendant.

X

: Case No. _____

: ORDER TO SHOW
: CAUSE FOR A
: TEMPORARY
: RESTRAINING
: ORDER AND A
: PRELIMINARY
: INJUNCTION

:
X

UPON the accompanying declaration of Victor A. Worms, dated July 31, 2024, and all exhibits thereto; the Memorandum of Law in Support of Plaintiff Natalia Pirogova (“Pirogova”) Motion for an Ex Parte Temporary Restraining Order and Preliminary Injunction (the “Motion”); and Ms. Pirogova’s complaint, it is

ORDERED that Defendant PJSC National Bank Trust (“Trust Bank”) shall show cause before the Honorable _____ on the ____ day of August, 2024, at ___, or as soon thereafter as counsel can be heard, in Courtroom ___, Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007, why an order should not be entered pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Trust Bank from continuing to violate Executive Order 14024 and the regulations promulgated thereunder by the U.S. Department of Treasury’s Office of Foreign Assets Control (“OFAC”), including Directive 4 (as amended) under Executive Order 14024, 31 C.F.R. § 587.201(a), 31 C.F.R. § 587.406, and 31 C.F.R. § 587.506(d) that were issued in response to the invasion and continued aggression by Russia against

Ukraine by the continuing litigation in the Supreme Court of the State of New York, County of New York of the actions, respectively, designated as *PJSC National Bank Trust v. Natalia Pirogova*, Supreme Court of the State of New York, County of New York, Index No. 656519/2020 (the “Recognition Action”) and *PJSC National Bank Trust v. Natalia Pirogova, et. al.*, Supreme Court of the State of New York, County of New York, Index No. 656520/2020 (the “Fraudulent Conveyance Action”) and enjoining Trust Bank from continuing the litigation of the Recognition Action and the Fraudulent Conveyance Action, including specifically seeking any turnover orders in the Fraudulent Conveyance Action, and to otherwise seek to enforce in any state or federal court a New York monetary judgment in the amount of \$43,663,096.81 which it obtained in the Recognition Action, during the pendency of this action; and it is further

ORDERED that this Temporary Restraining Order shall issue without prior notice to Trust Bank based on Ms. Pirogova’s showing that Trust Bank may use such notice to continue to evade and violate the sanctions which the Government of the United States imposed upon the Central Bank of Russia, the parent company of Trust Bank and an instrumentality of the Russian state; and it is further

ORDERED that, based on Ms. Pirogova’s showing that Trust Bank is not likely to suffer any harm by complying with the Temporary Restraining Order pending the hearing on Ms. Pirogova’s application for a preliminary injunction, Ms. Pirogova shall not be required to post any security; and it is further

ORDERED that a copy of this Order, along with Ms. Pirogova’s Motion and the supporting papers, shall be served on Offit Kurman, P.A. (“Offit Kurman”), with offices at 590 Madison Avenue, 6th Floor, New York, New York 10022, counsel for Trust Bank in the Recognition Action and the Fraudulent Conveyance Action by overnight express mail, on or before August _____, 2024, which is deemed good and sufficient service; and it is further

ORDERED that this Temporary Restraining Order shall be binding and take effect as soon as Offit Kurman has received or has actual notice of this Order; and it is further

ORDERED, that opposing papers, if any, shall be filed via ECF and served on counsel for Ms. Pirogova, so as to be received no later than ____ p.m. on the ____ day of August 2024; and it is further

ORDERED, that reply papers, if any, shall be filed via ECF and served on counsel for Ms. Pirogova, so as to be received no later than ____ p.m. on the ____ day of Augut 2024; and it is further

ORDERED that, sufficient reason having been shown therefore, if Trust Bank fails to appear at the above-scheduled hearing or file any opposition to Ms. Pirogova's Motion by the above-referenced deadline, this Temporary Restraining Order shall automatically convert into a preliminary injunction, pursuant to Fed. R. Civ. P. 65(a), enjoining Trust Bank from continuing to violate Executive Order 14024 and the regulations promulgated thereunder by OFAC, including Directive 4 (as amended) under Executive Order 14024, 31 C.F.R. § 587.201(a), 31 C.F.R. § 587.406, and 31 C.F.R. § 587.506(d) by the continuing litigation of the Recognition Action and the Fraudulent Conveyance Action and enjoining Trust Bank from continuing the litigation of the Recognition Action and the Fraudulent Conveyance Action, including specifically seeking any turnover orders in the Fraudulent Conveyance Action, and to otherwise seek to enforce in any state or federal court a New York monetary judgment in the amount of \$43,663,096.81 which it obtained in the Recognition Action, during the pendency of this action; and it is further

ORDERED that, sufficient reason having been shown therefore, if Trust Bank fails to timely answer or respond to the complaint and defaults in this action, any preliminary injunction shall automatically convert into a permanent injunction enjoining Trust Bank from continuing to violate Executive Order 14024 and the regulations promulgated thereunder by OFAC, including Directive 4 (as amended) under Executive Order 14024, 31 C.F.R. § 587.201(a), 31 C.F.R. § 587.406, and 31 C.F.R. §

587.506(d) by the continuing litigation of the Recognition Action the and the Fraudulent Conveyance Action and enjoining Trust Bank from continuing the litigation of the Recognition Action and the Fraudulent Conveyance Action, including specifically seeking any turnover orders in the Fraudulent Conveyance Action, and to otherwise seek to enforce in any state or federal court a New York monetary judgment in the amount of \$43,663,096.81 which it obtained in the Recognition Action, during the pendency of this action, and such permanent injunction shall survive the dismissal of this action absent further order of this Court.

Dated: July ____ , 2024

United States District Judge